



503.35255V16 *Jew*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: K. AOTA, et al.

Serial No.: 10/600,615

Filed: June 23, 2003

Title: FRICTION STIR WELDING METHOD

Group: 1725

Examiner: Lynne R. Edmondson

Confirmation No.: 6833

RESPONSE

Mail Stop: AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

June 10, 2005

SIR:

In response to the Office Action mailed March 10, 2005, Applicants respectfully submit the enclosed Terminal Disclaimer, and following remarks, for overcoming rejections in this Office Action mailed March 10, 2005.

Thus, in this Office Action mailed March 10, 2005, the sole basis for rejection of claims is under the judicially created doctrine of obviousness-type double patenting, with claims 1-16 being rejected over specified claims of U.S. Patent No. 6,581,819 (see Item 2 on pages 2 and 3 of this Office Action mailed March 10, 2005), and with claims 7-11, 15 and 16 being rejected over specified claims of U.S. Patent No. 6,382,498 (see Item 3 on page 3 of the Office Action mailed March 10, 2005). The Examiner has also set forth in Item 1 on page 2 of the Office Action mailed March 10, 2005, that the obviousness-type double patenting rejections may be overcome by a timely filed Terminal Disclaimer.

In view of the foregoing, enclosed please find a Terminal Disclaimer for the above-identified application, with respect to both U.S. Patent No. 6,382,498 and U.S.

Patent No. 6,581,819. It is respectfully submitted that the enclosed Terminal Disclaimer satisfies applicable requirements of 37 CFR 1.321(c), with respect to each of No. 6,382,498 and No. 6,581,819. In view of the enclosed Terminal Disclaimer, it is respectfully submitted that the obviousness-type double patenting rejections set forth in Items 2 and 3 of the Office Action mailed March 10, 2005, are moot.

The enclosed Terminal Disclaimer is being presently submitted in order to facilitate proceedings in connection with the above-identified application, so as to achieve earliest possible issuance of a U.S. patent based thereon. The filing of this Terminal Disclaimer does not constitute agreement with, or an admission as to the propriety of, the two (2) obviousness-type double patenting rejections; and does not constitute agreement with, or an admission as to the propriety of, arguments made by the Examiner in connection with the two (2) obviousness-type double patenting rejections.

In view of the present submission of the enclosed Terminal Disclaimer and satisfying all requirements in connection therewith, including filing of the necessary fee, reconsideration and withdrawal of the obviousness-type double patenting rejections set forth in Items 2 and 3 on pages 2 and 3 of the Office Action mailed March 10, 2005, are respectfully requested.

In view of all of the foregoing, entry of the enclosed Terminal Disclaimer, and reconsideration and allowance of all claims presently in the application, are respectfully requested.

Applicants request any shortage or excess in fees in connection with the filing of this paper, including extension of time fees, be charged or credited to Deposit Account No. 01-2135 (Case 503.35255V16).

Respectfully submitted,

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